



MAY 05 2021

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON DEPUTY
BY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON STATE

MYRIAM ZAYAS

PLAINTIFF,

case 21-CV-0581 RSM

vs.

ERIN BOYETT,

42 U.S. CODE § 1983- 42 U.S. CODE §
1985 CONSPIRACY AGAINST RIGHTS-
FIRST AMENDMENT RIGHT TO
FAMILIAL ASSOCIATION- FOURTH
AMENDMENT ILLEGAL SEIZURE-
FOURTEENTH AMENDMENT EQUAL
PROTECTION CLAUSE- INTERFERENCE
WITH PARENT CHILD RELATIONSHIP-
INTENTIONAL INFILCTION OF
EMOTIONAL DISTRESS-
WITHHOLDING EXCULPATORY
EVIDENCE

DEFENDANTS,

1 **I. JURISDICTION AND VENUE**

2

3 1. This Court has jurisdiction over federal civil rights claims, under 28 U.S.C. § 1333,

4 42 U.S. Code § 1983. This Court has supplemental jurisdiction over state-law claims

5 arising from the same factual circumstances, events, and transactions, under 28

6 U.S.C. § 1333(a).. This court has jurisdiction under 28 U.S.C. §1331,§ 1339, and §

7 1332.

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9 2. Venue is proper in this Court under 28 U.S.C. § 1331(b) because the Defendant's

10 employer Kent School district principal place of business is in King County

11 Washington. The Defendant is a resident of this state.

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13 3. The Plaintiff has filed a tort with the states attorney general.

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15 4. This action is an actual controversy¹ in which the Plaintiff MYRIAM ZAYAS seeks

16 a declaration of her rights under the constitution of the United States. Under 28

17 U.S.C. §§ 2201-2202 this court may declare Myriam Zayas's rights and grant further

18 necessary and proper relief based thereon.

19

20 5. Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure and Rule 38-1 of the

21 Local Rules for the Western District of Washington, Plaintiff demands trial by jury

22 for all the issues pleaded herein so triable.

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27 1 "In cases of actual controversy the courts of the United States shall have power upon petition, declaration,
28 complaint, or other appropriate pleadings to declare rights and other legal relations of any interested party
 petitioning for such declaration, whether or not further relief is or could be prayed, and such declaration shall have
 the force and effect of a final judgment or decree and be reviewable as such."

1 **II. PARTIES**

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3 6. Myriam Zayas an individual (hereinafter "Plaintiff" "mother") is a resident of the
4 State of Washington and the County of King. She is the mother of 3 adults 21,19,18,
5 one adopted 1 year old, and a 6-year-old currently in foster care, the Plaintiff is also
6 due to give birth in October 2021.

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8 7. Defendant Erin Boyett (hereinafter "teacher" "state official" "Mrs. Boyett"), at all
9 times relevant hereto was the Plaintiffs child's kindergarten teacher employed by
10 the Kent School District at Pine Tree Elementary School. Upon further information
11 and belief, she resides in King County Washington. She is sued for damages in
12 her individual capacity within the meaning of 42 U.S.C. Section 1983, and at all times
13 relevant he. e to acted under color of state law.

14
15 8. Defendants referred to but not named as Defendants in this complaint alleged by
16 the Plaintiff in other complaints, state and court officials, "CPS" "social worker"
17 "state official" "court official".

1 **III. INTRODUCTION**

2 Whether they knew of the intended purpose or did not know, their participation
3 in these intentional acts make them just as guilty. It is not required that the Defendant
4 know the ultimate plot, when proving a conspiracy claim.²

5 Mrs. Boyett lied; she was asked to lie by the court officials from case 20-cv-00747
6 JCC Zayas vs. Messitt. Mrs. Boyett only gets one shield of immunity; under that one
7 shield she can not tell 2 statements that are contradicting. Her actions are considered
8 perjury. She did not provide documented proof of the statements she made during
9 trial, such as attendance records and discipline records. Her boss (principal of Pine
10 Tree Elementary) already told CPS in March 2020 that the Plaintiffs child has no
11 discipline records. EXHIBIT 031720-1. The Kent School District has done nothing to
12 remedy the situation, the Plaintiff filed a complaint with the school regarding Mrs.
13 Boyett committing perjury. They are likely resting on her immunity granted to her
14 through the state of Washington when testifying for child abuse cases. This
15 immunity does not cover intentional acts of deceit and trickery, and does not allow
16 the Defendant to violate clearly established law. By relying on this immunity, they are
17 abusing their authority granted to them by state and are said to be acting under the
18 color of state law.

19 As a direct and proximate result of the actions described herein the Plaintiff and
20 her minor child have suffered, and continue to suffer.

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28 ² 42 U.S. Code § 1985. Conspiracy to interfere with civil rights.
DEPRIVATION OF RIGHTS UNDER COLOR OF LAW- 4

1 **V. FACTS**

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3 *NOW COMES the Plaintiff, MYRIAM ZAYAS by and through herself and for her
4 complaint under Section 1983, the Defendant and those they acquiesced, instructed,
5 directed, accepted direction from, retaliated with, plotted, and conspired with in
committing the unauthorized, unconstitutional, and unlawful acts and omissions
described in this complaint, Plaintiff alleges the following facts:*

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7 9. The Plaintiffs 5-year-old child who is now 7 was removed from the Plaintiffs care
8 for a dirty UA March 16th, 2020 in the removal process 15 state officials committed
9 the crime of forgery, no oath or affirmation was given either, and they violated
10 emergency order #6, the Plaintiff caught them. The state officials then committed
11 perjury during trial, three of them did the social worker, kindergarten teacher, and
12 CASA. In October 2020, the judge based her decision to keep the Plaintiffs child
13 on the teacher's perjury.

14
15 10. Mrs. Boyett the Plaintiffs child's kindergarten teacher committed perjury during
16 the Plaintiffs dependency trial. She also withheld exculpatory evidence from the
17 court. This is a violation of the Plaintiffs fourteenth amendment rights to be
18 treated equally under the law.

19
20 11. Mrs. Boyett stated under oath on September 28th, 2020, that the Plaintiffs child
21 missed "many" days of school, also showed up late often, she had behavioral
22 issues, and her mother the Plaintiff received food from the school.

23
24 12. In Mrs. Boyett's initial interview on February 11th, 2020, with the social worker she
25 did not state any concerns regarding her child's attendance or being tardy for
26 class. EXHIBIT 021120

1 13. Many by definition means: consisting of or amounting to a large but indefinite
2 number. The Plaintiff has her child's attendance records, CPS also has these
3 records according to their own words the CHET screener asked for these items on
4 March 17th, 2020 at 8:36am that day. An administrative assistant at Pine Tree
5 Elementary school sent them to CPS. EXHIBIT 031720-0

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7 14. The Plaintiff did ask for food. Mrs. Boyett did send food home every weekend in
8 her child's backpack. So. Her daughter did steal vegetables, not to eat them
9 herself, she was stealing them for her pet guinea pigs at home.

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11 15. The Principal at Pine Tree reported when the Plaintiffs child was picked up that
12 her child had no discipline records on file. EXHIBIT 031720-1

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14 16. The Plaintiffs trial was public so the public has heard the link below. The Plaintiff
15 also has the official trial record which she has sent the entire trial to the Kent
16 School District with her complaint about Mrs. Boyett. The following link leads to
17 Mrs. Boyett's perjury during trial:

18 <https://1drv.ms/v/s!AmhsqRs52qWXqSjh96o86vbH8hHr?e=bh1mkR>

19
20 17. Prior to the trial Mrs. Boyett had already provided the social workers an interview
21 and she did not state any concerns at all regarding the Plaintiffs child in March
22 2020. ***A grant of immunity does not protect a person from a perjury charge***
23 ***if he or she testifies falsely.***³ The immunity grant means that immunized
24 testimony cannot be used to prove that a previous sworn statement was false.⁴

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28 ³ United States v. Apfelbaum, 445 U.S. 115, 126 (1980); United States v. Wong, 431 U.S. 174, 178 (1977).

⁴ Kastigar v. United States, 406 U.S. 441 (1972). 18 U.S.C. § 6002.

1 Thus, if two sworn statements are irreconcilable and one was made after an
2 immunity grant, the Plaintiff must prove that the one given under the immunity
3 grant was the false one. The Plaintiff may prove immunized testimony is false by
4 using other immunized testimony from the same grant of immunity "so long as
5 that testimony conforms to otherwise applicable rules of evidence."⁵

7 18. On March 12th, 2020 Mrs. Boyett allowed a CPS social worker to
8 interview(interrogate) the Plaintiffs 5-year-old child without warrant, probable
9 cause, or anything and during the pandemic under emergency order 6. Mrs.
10 Boyett's actions would account for repeated injury to the Plaintiff and her
11 children, Mrs. Boyett allowed access to her child without question and then
12 furthered her evil intent by lying deliberately under oath during trial to keep the
13 Plaintiffs child in foster care:
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16 *In October 2009, the Tacoma School district allowed two social workers to
17 enter Christenson elementary school in Tacoma where the Plaintiffs children
18 ages 6 and 8 attended school, these social workers had no documentation, no
19 oath or affirmation was given, no warrant signed by a judge, nothing, and the
20 school allowed them to interview the Plaintiffs children followed by physically
21 attacking and fighting her children, covering her children's mouths with their
22 hands in order to drag them out of their school. Their reason for removal was
23 because the Plaintiffs son was bitten by a dog one month prior. These events
24 are further explained in 20-cv-00981 JLR-TLF. Upon further information and
belief no warrant exists for this removal.*

25 19. When a state official intentionally uses RCW to violate the Plaintiffs rights, this is
26 a violation of the Plaintiffs rights to due process, and her rights to equal
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28 ⁵ Apfelbaum, 445 U.S. at 131
DEPRIVATION OF RIGHTS UNDER COLOR OF LAW- 7

1 protection under the law, fourteenth amendment. By intentionally telling a lie and
2 then hiding behind RCW, this makes Mrs. Boyett lose immunity.
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4 20. Mrs. Boyett committed these unlawful acts with evil intent. Mrs. Boyett was
5 deliberately indifferent to the rights of the Plaintiff and her child. Mrs. Boyett
6 being a reasonable state official, reasonably should have known that committing
7 perjury to keep the Plaintiffs child away from her violates her first and fourteenth
8 amendment rights to familial association, and causes great emotional distress to
9 the Plaintiff and her child. Hardwick vs Vreeken, the Ninth Circuit court of appeals
10 stated that there does not have to be a case on all fours when clearly established
11 law is violated, perjury is clearly established law of which a reasonable state
12 official should have known.⁶ Mrs. Boyett cannot commit perjury when the result
13 will be the Plaintiff losing her parental rights during a court proceeding.
14

15 21. Mrs. Boyet also was made aware of the state officials crimes of forgery and the
16 multiple lawsuits filed by the Plaintiff. Mrs. Boyett still agreed to assist the court
17 officials in their retaliation, her actions violated an intimate association the
18 Plaintiff has with her child.
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20 22. The Plaintiffs child is still in a foster home. Not because of child abuse but
21 because of felony forgery committed by a superior court judge. The Defendant
22 supported this crime by furthering the conspiracy against the Plaintiff. Because
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⁶ <https://www.govinfo.gov/content/pkg/USCOURTS-ca9-15-55563/pdf/USCOURTS-ca9-15-55563-0.pdf>
DEPRIVATION OF RIGHTS UNDER COLOR OF LAW- 8

1 the Plaintiff has sued the judge and this is their retaliation. The Defendant is
2 knowingly supporting the social workers actions of retaliation.
3

4 **V. FIRST CLAIM FOR RELIEF- INTENTIONAL INFILCTION OF
5 EMOTIONAL DISTRESS – 42 U.S.C. § 1983**

6 23. Plaintiff re-alleges and re-pleads all of the allegations in paragraphs 1–22 of this
7 Complaint and incorporate them by reference.
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9 24. The Defendant performs the public functions of teaching kindergarten in public
10 school in the state of Washington. The Defendant performs these public
11 functions using federal, state, and county funds, also from federal grants.
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13 25. The Plaintiff and her child have suffered from emotional distress and will continue
14 to in the foreseeable future. This suffering was a direct and proximate result of the
15 Defendants actions in concert with the state officials, the continued and ongoing
16 conspiracy to deprive the Plaintiff and her child of their federally protected rights.
17 The Defendant has committed crimes in conjunction with, and assisted the state
18 officials in violating the Plaintiffs first, and fourteenth amendment rights, her right
19 to due process and equal protection under the law.
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21 26. The Plaintiff will have to home school her children now because the chance that
22 these state officials will be back is extremely high. The likelihood that they will
23 intentionally lie and then hide behind immunity are also high. Her children
24 remaining are very young and she has suffered at the hands of social workers who
25 targeted her simply due to the Plaintiffs race and for no other reason. The Plaintiff
26 has documented proof and witnesses to prove that if she were African American,
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she would be favored and never have to suffer like she did. Mrs. Boyett was very aware of the Plaintiff complaining of racial favoring, she did not care and continued to commit high crimes against the Plaintiffs 5-year-old child.

**VI. SECOND CLAIM FOR RELIEF-
FIRST AMENDMENT RIGHT TO FAMILIAL ASSOCIATION⁷
42 U.S.C. § 1983**

27. Plaintiff re-alleges and re-pleads all of the allegations in paragraphs 1–26 of this Complaint and incorporate them by reference.

28. The Defendant performs the public functions of teaching kindergarten in public school in the state of Washington. The Defendant performs these public functions using federal, state, and county funds, also from federal grants.

29. Where government action substantially interferes with fundamental rights, such as the right to family relationships, it is subject to strict scrutiny, which means that the government must have a compelling reason for its action and its means to achieve its goal must be as narrowly tailored as possible.⁸

30. By agreeing to lie under oath the teacher has assisted in the continued severing of the Plaintiffs bond with her child, she is only immune for mistakes, any and all

⁷ Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

⁸ Behm v. LUZERNE CTY CHILDREN & YOUTH POLICY MAKERS, 172 F. Supp. 2d 575 - Dist. Court, MD Pennsylvania 2001
DEPRIVATION OF RIGHTS UNDER COLOR OF LAW- 10

intentional acts of misleading the courts to believe something that is not true is a violation of the Plaintiffs civil rights to familial association.

31. The Plaintiff has a cause of action for violation of her constitutional federally protected rights to intimate association and against retaliation from state actors under the Civil Rights Act of 1871 a federal statute, numbered 42 U.S.C. § 1983. The Plaintiff was restrained in her liberty and property by the Defendant.

**THIRD CLAIM FOR RELIEF-
FOURTH AMENDMENT RIGHTS- ILLEGAL SEARCH AND
SEIZURE⁹- 42 U.S.C. § 1983**

32. Plaintiff re-alleges and re-pleads all of the allegations in paragraphs 1–31 of this Complaint and incorporate them by reference.

33. The Defendant performs the public functions of teaching kindergarten in public school in the state of Washington. The Defendant performs these public functions using federal, state, and county funds, also from federal grants.

34. The Defendant was made aware of the facts of the case and that the state officials violated an emergency order in place at the time March 2020, she was also informed of the reason why her child was removed, parental conduct is never probable cause for removing a child. The social workers are required to have

⁹ The Fourth Amendment of the U.S. Constitution provides that "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

1 some tangible evidence that the Plaintiffs child was in fact hurt by the Plaintiff. A
2 reasonable official should have known that their actions violated the rights of the
3 Plaintiff to remain free from government intrusion.
4

5 35. Mrs. Boyett is granted the power and authority of a state official when reporting
6 child abuse, she is also granted immunity for her testimony. The same as a state
7 official would be granted immunity. Mrs. Boyett knew that a child must be in
8 imminent danger in order to be removed lacking oath or affirmation, during the
9 pandemic the requirement was "mission critical."
10

11 36. At all times relevant to this claim Mrs. Boyett supported the illegal seizure of the
12 Plaintiffs child knowing the social workers lacked the required probable cause for
13 removal. She was asked to lie by the court officials involved in the Plaintiffs case
14 and she knew that they needed her to lie in order to "save the Plaintiffs child."
15 This means she knew they had no case without her testimony. She felt it was "her
16 duty" to lie, to stop the Plaintiff from "abusing her child," when in fact her lie is
17 child abuse. If a state official has to commit several felonies to keep a child away
18 from their parents then they are abusing that child. Mrs. Boyett is just as guilty
19 even if she had no clue they were using her to cover the judges forgery and force
20 the dependency order just to invalidate the forged SCHO¹⁰.
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28 ¹⁰ Shelter Care Hearing Order
DEPRIVATION OF RIGHTS UNDER COLOR OF LAW 12

1 **VIII. FOURTH CLAIM FOR RELIEF**
2 **FOURTEENTH AMENDMENT EQUAL PROTECTION -**
3 **WITHHOLDING EXONERATORY EVIDENCE-42 U.S.C. §**
4 **1983¹¹**

5 37. Plaintiff re-alleges and re-pleads all of the allegations in paragraphs 1-36 of this
6 Complaint and incorporate them by reference.

7 38. The Defendant performs the public functions of teaching kindergarten in public
8 school in the state of Washington. The Defendant performs these public
9 functions using federal, state, and county funds, also from federal grants.

10 39. Mrs. Boyett committed a misuse of power possessed by virtue of state law, and
11 made possible only because the wrongdoer was clothed in the authority of state
12 law.

13 40. The Defendant Mrs. Boyett's actions in assisting the court officials included
14 withholding exoneratory evidence such as the Plaintiffs child's actual attendance
15 records during the trial, violate the fourteenth amendment rights of the Plaintiff and
16 her child.

17 41. The familial right of association is based on the "concept of liberty in the
18 Fourteenth Amendment."¹² The Fourteenth Amendment protects United States
19 citizens against violation of fundamental rights by state actors. Fundamental

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27 ¹¹ No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United
28 States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to
any person within its jurisdiction the equal protection of the laws.

28 ¹² see Kraft v. Jacka, 872 F.

rights are liberty interests deeply rooted in the nation's history and tradition, and implicit in the concept of ordered liberty and the rule of law.

42. The Plaintiff has a cause of action for violation of her constitutional federally protected rights to equal protection, and familial association, under the Civil Rights Act of 1871 a federal statute, numbered 42 U.S.C. § 1983. The Plaintiff was restrained in her liberty and property by the Defendant.

**X. FIFTH CLAIM FOR RELIEF
18 U.S.C. § 241¹³ - CONSPIRACY AGAINST RIGHTS¹⁴**

43. Plaintiff re-alleges and re-pleads all of the allegations in paragraphs 1–42 of this Complaint and incorporate them by reference.

44. The Defendant performs the public functions of teaching kindergarten in public school in the state of Washington. The Defendant performs these public functions using federal, state, and county funds, also from federal grants.

45. An agreement was made, between Mrs. Boyett and the court officials, there was a jointly accepted plan, the Defendant and the court officials knew each other, the conspirator knew the plan's essential nature and general scope. The Defendant knew the exact details of the plan or the identity of all the participants in it. Mrs.

¹³ Section 241 of Title 18 is the civil rights conspiracy statute. Section 241 makes it unlawful for two or more persons to agree together to injure, threaten, or intimidate a person in any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him/her by the Constitution or the laws of the United States, (or because of his/her having exercised the same). Unlike most conspiracy statutes, Section 241 does not require that one of the conspirators commit an overt act prior to the conspiracy becoming a crime.

¹⁴ This statute makes it unlawful for two or more persons to conspire to injure, oppress, threaten, or intimidate any person of any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him/her by the Constitution or the laws of the United States.

1 Boyett may become a member of a conspiracy without full knowledge of all the
2 details of the conspiracy.

3 46. The Defendants worked with Child Protective Services together they conspired to
4 injure, oppress, threaten, and intimidate the Plaintiff and her minor child in
5 Washington State, in the free exercise and enjoyment of the Plaintiffs parental
6 rights and privileges secured to her by the Constitution and laws of the United
7 States, and because of the Plaintiff having so exercised the same; the Defendants
8 employees and representatives went in disguise on the highway, and on the
9 premises of the Plaintiff, with the intent to prevent and hinder her free exercise or
10 enjoyment of her and her child's rights or privileges so secured.

11 47. The Defendants involved came to a mutual understanding to do the act that violated
12 the Plaintiffs civil rights. This agreement can be either express or implied. The
13 Plaintiff can prove the agreement by presenting evidence of circumstances from
14 which the agreement can be inferred. The Plaintiff can infer from the sequence of
15 events, that it is more likely than not that the Defendant together with the state
16 officials, agreed to do an act that deprived Plaintiff of her first, fourth, and
17 fourteenth amendment rights.

18 48. The Plaintiff has a cause of action under title (18) XXXII, §§ 320103(b) 320201(b), title
19 XXXIII, § 330016(1)(H), deprivation of rights under the color of law, for violation of
20 her constitutional federally protected rights lacking probable cause included in the
21 Civil Rights Act of 1871 a federal statute, numbered 42 U.S.C. § 1983, 18 U.S. CODE
22

1 § 241 - Conspiracy Against Rights. Section 241 does not require that one of the
2 conspirators commit an overt act prior to the conspiracy becoming a crime.
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4 49. The Kent Police were told by the King County Prosecuting attorney not to
5 investigate the forgery. If the FBI actually did what they claim on their website then
6 the Plaintiff would not have to bring all of these claims by herself and she only has
7 so many years to file, they still have her child of course it is common in Washington
8 state for them to keep children for many years. In the Plaintiffs experience they
9 never returned her oldest 2 children and she was parenting a newborn when she
10 lost them both permanently. This means the Plaintiff can not wait until her case
11 closes to bring claims against them then it would be too late. Her case 20-7-00666-0
12 SEA is still open and under appeal, which also may take years.
13

14 **X. INJURIES**
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16 50. The Defendants actions account for repeat constitutional civil rights violations
17 and injuries similar to incidents which occurred in 2009. As a direct and
18 proximate result of the Defendant's civil rights violations, and law breaking,
19 including her rights to familial association, intimate association, the first, fourth,
20 fourteenth amendments of the US constitution, made by the Defendant at all
21 times relevant to this complaint towards the Plaintiff and her child, she was
22 injured emotionally, mentally, financially, & permanently, these injuries are
23 described below:
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1 51. The Plaintiff has endured and will continue to endure these injuries, which have
2 caused and will continue to cause past, present, and ongoing costs, taking up
3 time in her life, an inconvenience to the Plaintiff and her child.

4 52. The Defendant at all times relevant to this complaint, acted in support of the
5 retaliation towards the Plaintiff and the Plaintiff made the Defendant aware of
6 these acts being discriminatory and unlawful. The Defendant and her employer
7 ignored the Plaintiff. These injuries the Plaintiff has suffered have also caused
8 damage to the Plaintiff mentally resulting in confusion, loss of parent child
9 relationship, anger, pain, fear, depression, rejection, mental anguish, severe
10 emotional distress, suicidal ideation, fright, anxiety, sadness, severe trauma,
11 mental health costs, mental health diagnosis, medication management, paranoia,
12 heart problems, high blood pressure, guilty, ashamed, despair, bitterness,
13 betrayed, tormented, un-protected, manipulated, demeaned, enraged, loneliness,
14 offended, deceived.

15 53. The Defendants assisted court officials who have committed forgery, suborned
16 perjury, ignored, belittled, blamed, hated, accused, disrespected, put down,
17 criticized, made fun of, exposed, criminalized, the Plaintiff at all times relevant to
18 this complaint. The Plaintiff will have to take extra precautions when placing her
19 children in public school and may have to home school her children, pay a
20 midwife to give birth at home. These costs have already been incurring and the
21 Plaintiff, MYRIAM ZAYAS must continue therapy for stress induced by these
22 events which were a choice made by the Defendant, that went above the bounds
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1 of her lawful authority, the Defendant acted with deliberate indifference and
2 malice.

3 54. The Plaintiff suffered and continues to suffer from physical pain, mental health
4 issues related to depression, post-traumatic stress disorder, hair loss, weight
5 loss, vision loss, community trust lost, lost birthdays, holidays, broken family
6 bonds with relatives. The Plaintiff is due to incur past, present, and ongoing legal
7 costs and attorneys' fees.

8 55. The Defendant's actions have abridged the Plaintiffs 18 years she has to raise her
9 children without being interrupted for reasons that do not include child abuse.
10 The Plaintiff needs to made whole again. A result of one or more of these acts and
11 omissions by the Defendant and the court officials that instructed the Defendant
12 to conspire with, trained, and directed to act on their behalf, Plaintiff, MYRIAM
13 ZAYAS has been injured, economically and she has endured a financial loss, she
14 will continue to lose wages, future, and past job opportunities, lost education
15 opportunities.

16 56. The Plaintiff has very young children so the likelihood that these state officials
17 will return is extremely high social workers have been at her door since 2009 for
18 reasons that never included her children being hurt. The Defendants support
19 these social workers efforts and therefore put the Plaintiff at risk for future
20 irreparable damage.

21 The Plaintiff is not seeking injunctive relief, lying under oath is a crime.
22

XI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff MYRIAM ZAYAS requests' judgement in her favor:

57. Issue a declaratory judgment that the actions of the Defendant described herein

violated the Plaintiffs fourteenth amendment right to equal protection,

interference of parent child relationship, first amendment right to familial

association.

58. Awarding the Plaintiff actual damages in the amount to be proven at trial.

59. Awarding the Plaintiff special damages in the amount to be proven at trial.

60. Awarding the Plaintiff compensatory damages in the amount to be proven at trial.

61. Awarding the Plaintiff statutory damages in the amount to be proven at trial.

62. Awarding the Plaintiff nominal damages in the amount to be proven at trial.

63. Awarding the Plaintiff punitive damages in the amount to be proven at trial.

64. Awarding the Plaintiff contemptuous damages in the amount to be proven at trial.

65. Awarding the Plaintiff incidental damages in the amount to be proven at trial.

66. Awarding the Plaintiff treble damages in the amount to be proven at trial.

67. Awarding the Plaintiff liquidated damages in the amount to be proven at trial.

68. Awarding the Plaintiff general damages in the amount to be proven at trial.

69. Awarding the Plaintiff temperate damages in the amount to be proven at trial.

70. Awarding the Plaintiff moral damages in the amount to be proven at trial.

71. Awarding the Plaintiff disgorgement damages in the amount to be proven at trial.

72. Awarding the Plaintiff exemplary damages in the amount to be proven at trial.

73. Grant all other relief as the Court may deem just and proper.

PLAINTIFF'S EXHIBIT

021120

SW and Erin both knew the Plaintiff was giving birth

Case Name: ZAYAS, MYRIAM	Case ID: 481288	Case Note ID: 47110580	Note Finalized <input checked="" type="checkbox"/>
Case Note Category: CPS		Case Note Type: Investigation	
Date Occurred: 02/11/2020		Time Occurred: 11:00 AM	
Date Entered: 02/11/2020 12:32 PM		Note Entered by:	
Related Participants and Collaterals: Zayas		Related Intakes: 02/09/2020 10:41 AM 4319498	

ACTIVITIES

Activity: Contact - Education Time: 11:00 AM	Participant: [REDACTED] Zayas	Location: School TCM: No
Activity: Child - Attempted Initial Face to Face Location: School	Participant: [REDACTED]	Zayas Time: 11:00 AM TCM: No

CONTACTS**NARRATIVE**

Case Note 1 of 1 Entered By : [REDACTED] Date Entered : 02/11/2020 Time
 Entered : 12:32 PM
 Contact- Attempted IFF

On 2/11/2020, SW [REDACTED] attempted IFF with [REDACTED] at Pine Tree Elementary. SW was informed that child had no been to school since Wednesday last week.

Contact- EDU

SW spoke with [REDACTED]'s teacher, Erin. Erin reported that mother is an open book. Erin reported that mother has stated that she only feeds [REDACTED] cereal because that's all they have. Mother has disclosed that she struggles to make ends meet. [REDACTED] does come to school clothes and clean. [REDACTED]'s behaviors are reported to be hiding in the corner, and lacks interaction. Erin reported that [REDACTED] appears to prefer daycare at A Learning Land. She reported that whenever she may try to probe about home, [REDACTED] will shut down. Erin reported that mother is trying to hide that she is giving baby up for adoption, and exchanging baby for a puppy. Erin reported that her main concern is mother's access to resources. Erin did not report any concern of substance use, but did report concerns of possible mental health. She reported that mother's emotions are crazy. Erin reported that mother wasn't happy with a situation that was handle and stated she would come up and handle it; Erin reported mother stated it was all talk.

**PLAINTIFF'S
EXHIBIT**

031720-1

Case Name: ZAYAS, MYRIAM	Case ID: 481288	Case Note ID: 47241353	Note Finalized <input checked="" type="checkbox"/>
Case Note Category: CHET		Case Note Type: Contact	
Date Occurred: 03/17/2020		Time Occurred: 12:00 PM	
Date Entered: 03/17/2020 02:53 PM		Note Entered by: [REDACTED] M.	
Related Participants and Collaterals: [REDACTED]			Related Intakes: 02/18/2020 6:26 AM 4319255 02/09/2020 10:41 AM 4319498

ACTIVITIES

Activity: Contact - Education	Participant: [REDACTED]	Location: School
Time: 12:00 PM	TCM: No	

CONTACTS

NARRATIVE

Case Note 1 of 1	Entered By : [REDACTED]	Date Entered : 03/17/2020
	Time Entered : 02:53 PM	
CHET screener met with Dr. [REDACTED] Principal at Pine Tree Elementary, to pick-up educational records for [REDACTED]. CHET screener went to the school as the fax was not working. Dr. [REDACTED] stated [REDACTED] did not have any discipline records on file. [REDACTED] also does not have a 504 plan or an IEP on file.		

Case Name: ZAYAS, MYRIAM	Case ID: 481288	Case Note ID: 47246058	Note Finalized <input checked="" type="checkbox"/>
Case Note Category: CPS		Case Note Type: Investigation	
Date Occurred: 03/17/2020			Time Occurred: 02:00 PM
Date Entered: 03/18/2020 12:59 PM			Note Entered by: [REDACTED]
Related Participants and Collaterals: [REDACTED]			Related Intakes: 02/09/2020 10:41 AM 4319498

Case Note 1 of 1 Entered By : [REDACTED] Date Entered : 03/17/2020

Time Entered : 08:54 AM

From: Special Ed Records <SpecialEdRecords@kent.k12.wa.us>

Sent: Tuesday, March 17, 2020 3:01 PM

To: [REDACTED] (DCYF) [REDACTED]@dcyf.wa.gov>

Subject: No Records for ACZ

Hello,

Kent School District does not have SPED records for [REDACTED] DOB [REDACTED]

Thank you,

**PLAINTIFF'S
EXHIBIT**

031720-0

[REDACTED]
Administrative Assistant II
Inclusive Education | Kent School District
O: (253) [REDACTED]@kent.k12.wa.us

From: [REDACTED] (DCYF)

Sent: Tuesday, March 17, 2020 8:54 AM

To: 'Special Ed Records' <SpecialEdRecords@kent.k12.wa.us>

Subject: Education Records Request

Importance: High

Hello,

I am requesting educational records for [REDACTED]. If this student does not have an IEP or 504 plan on file, please send an email stating so.

Thank you in advance for your help with this request.

Sincerely,

[REDACTED] MSW, LICSW / CHET Screener / Child Health & Education Tracking (CHET)
Region 2 South - King South East
Washington State Department of Children Youth and Families
(P) (253) [REDACTED] (F) (253) [REDACTED]@dcyf.wa.gov

From: [REDACTED] (DCYF)

Sent: Tuesday, March 17, 2020 9:09 AM

To: [REDACTED]@kent.k12.wa.us'; [REDACTED]@kent.k12.wa.us>;

[REDACTED]@kent.k12.wa.us'; [REDACTED]@kent.k12.wa.us>;

[REDACTED]@kent.k12.wa.us' [REDACTED]@kent.k12.wa.us>;
 [REDACTED]@kent.k12.wa.us' [REDACTED]@kent.k12.wa.us>;
 [REDACTED]@kent.k12.wa.us' [REDACTED]@kent.k12.wa.us>; [REDACTED]@kent.k12.wa.us'
 [REDACTED]@kent.k12.wa.us>

Subject: Education Records Request

Hello,

I am requesting educational records for [REDACTED] I have attached an education records request to this email. I am specifically requesting the following information for this student:

For all students:

- Most recent year-end transcript (secondary) OR report card (elementary)
- Grades and GPA (including the most recent grading period, child's GPA, or grades)
- Attendance records
- Discipline records from the most recent complete school year and most recent grading period
- State test scores (if applicable)

For children receiving special education services:

- School evaluation report
- IEP or 504 Plan

Thank you in advance for your help with this request.

Sincerely,

[REDACTED], MSW, LICSW / CHET Screener / Child Health & Education Tracking (CHET)
 Region 2 South - King South East
 Washington State Department of Children Youth and Families
 (P) (253) [REDACTED] / (F) (253) [REDACTED] / [REDACTED]@dcyf.wa.gov

Case Name: ZAYAS, MYRIAM	Case ID: 481288	Case Note ID: 47240826	Note Finalized <input checked="" type="checkbox"/>
Case Note Category: CPS		Case Note Type: Contact	
Date Occurred: 03/17/2020		Time Occurred: 09:00 AM	
Date Entered: 03/17/2020 10:46 AM		Note Entered by: [REDACTED]	
Related Participants and Collaterals: [REDACTED]		Related Intakes: 02/18/2020 6:26 AM 4319255	
ACTIVITIES			
Activity: Child - Face to Face with Child Other (License or Unlicensed)	Participant: [REDACTED] Time: 09:00 AM	as Location: TCM: No	

GRD:K1
 SCHOOL: 166 CALENDAR: 166 HM RCOM: 09 ADVISOR: [REDACTED]

ABS. DATE	1	2	PN
09/19/19 Thu.	H-PR		Y
COMMENT:early w mom-mom sick 1:30			
09/27/19 Fri.	H-DR		Y
COMMENT:early w mom-dentist appt 2:50			
10/30/19 Wed.	E-IL E-IL		Y
COMMENT:mom called teacher-home sick			
10/31/19 Thu.	E-IL E-IL		Y
COMMENT:sick repeat			
11/08/19 Fri.	Y-ED		Y
COMMENT:early w mom 3:00			
11/26/19 Tue.	U-NC U-NC		Y
COMMENT:msg mom cell			
12/09/19 Mon.	R-RL		Y
COMMENT:late 10:55			
12/13/19 Fri.	U-NC U-NC		Y
COMMENT:msg mom cell			
12/16/19 Mon.	U-RL U-RL		Y
COMMENT:called mom-missed bus			
12/18/19 Wed.	R-RL		Y
COMMENT:late 9:30			
01/09/20 Thu.	R-RL		Y
COMMENT:late 9:20			
01/10/20 Fri.	E-IL		Y
COMMENT:personal 9:52			
01/27/20 Mon.	U-NC U-NC		Y
COMMENT:msg mom cell			
01/31/20 Fri.	H-DR		Y
COMMENT:early w mom-dr appt 1:25			
02/07/20 Fri.	U-NC U-NC		Y
COMMENT:msg mom cell			
02/10/20 Mon.	E-PR E-PR		Y
COMMENT:called mom-personal			
02/11/20 Tue.	E-PR E-PR		Y
COMMENT:called mom-personal			
02/12/20 Wed.	E-PR E-PR		Y
COMMENT:called mom-personal			
02/13/20 Thu.	E-IL E-IL		Y
COMMENT:mom called teacher home sick			
02/24/20 Mon.	E-IL E-IL		Y
COMMENT:mom called teacher home sick			
03/25/20 Tue.	E-IL E-IL		Y
COMMENT:sick repeat			
05/04/20 Mon.	S-XC S-XC		Y
05/18/20 Mon.	S-XC S-XC		Y
06/08/20 Mon.	S-XC S-XC		N
06/15/20 Mon.	S-XC S-XC		N

Plaintiff went into labor on Feb 7th 2020

PLAINTIFF'S EXHIBIT

112320

Type Code Legend

E=Excused

H=Half day Excused

R=Unexcused Tardy

S=Student-No Contact



M. Zayas <amiya.angel@gmail.com>

Employee Complaint - Closed

4 messages

[REDACTED] @kent.k12.wa.us>
To: "amiya.angel@gmail.com" <amiya.angel@gmail.com>
Cc: [REDACTED] @kent.k12.wa.us>, [REDACTED] @kent.k12.wa.us>, [REDACTED] @kent.k12.wa.us>

Fri, Jan 8, 2021 at 11:17 AM

Hello [REDACTED]

This email is to notify you that the complaint that you filed with Human Resources against staff member, Erin Boyett on November 20, 2020 has been reviewed and is now closed. If you have further concerns, please feel free to contact me.



[REDACTED]
Executive Director, Human Resources| Kent School District

12033 SE 256th Street, A-100 | Kent, WA 98030-6503

O: (253) [REDACTED] C: (253) [REDACTED] F: (253) [REDACTED] [REDACTED] @kent.k12.wa.us

PLAINTIFF'S
EXHIBIT

010821

1 **CERTIFICATION AND CLOSING**

2
3 *Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best.*
4 *of my knowledge, information, and belief that this complaint: (1) is not being.*
5 *presented for an improper purpose, such as to harass, cause unnecessary delay,*
6 *or needlessly increase the cost of litigation; (2) is supported by existing law or by*
7 *a nonfrivolous argument for extending, modifying, or reversing existing law; (3)*
8 *the factual contentions have evidentiary support or, if specifically so identified,*
9 *will likely have evidentiary support after a reasonable opportunity for further*
10 *investigation or discovery; and (4) the complaint otherwise complies with the*
11 *requirements of Rule 11.*

12 *****Amended to add 4th amendment on 05.01.2021.*****

13 Respectfully submitted,

14 Dated:

15 04/29/21

16 Name:



17 Myriam Zayas
18 amiya.angel@hotmail.com

19 **CERTIFICATE OF SERVICE**

20 I, MYRIAM ZAYAS, do hereby certify that I have this day mailed, U.S. Mail
21 Certified, postage prepaid, a true and correct copy of the above and foregoing to at
22 the following address also send an email to the email listed:

23 THIS the 29th day of April 2021.

24 Sign:



